

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6481

BILL NUMBER: SB 132

NOTE PREPARED: Jan 31, 2006

BILL AMENDED: Jan 30, 2006

SUBJECT: Correction of 2005 Child Services Legislation.

FIRST AUTHOR: Sen. Lawson C

FIRST SPONSOR: Rep. Budak

BILL STATUS: As Passed Senate

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State

Summary of Legislation: (Amended) This bill makes technical corrections as directed by Senate Enrolled Act 529-2005. The bill relocates appropriation provisions in current law to a new location in the Indiana Code. It repeals obsolete provisions and provisions being moved to a new location. It also provides that certain license applications may be denied or revoked if an employee or volunteer of the applicant or licensee have certain criminal convictions. The bill provides that a person may not operate a child caring institution and a child placing agency may not operate a foster family home if the number of children exceeds the number authorized by the license or if the children are maintained in a place not designated by the license. The bill also creates the Division of Family Resources Child Care Fund and the Department of Child Services Child Care Fund. (The introduced version of this bill was prepared by the Select Committee on Reorganization of Child Services.)

Effective Date: July 1, 2006.

Explanation of State Expenditures: *National Criminal History Background Checks:* The bill removes language which requires a child welfare caseworker or juvenile probation officer from having to conduct a criminal history background check for each person who is expected to reside in a location designated as a "relative" out-of-home placement for a child. The DCS reports that caseworkers are currently not enforcing this. Thus, no reduction in expenditures is anticipated as a result.

(Revised) *Child Care Fund:* Under current law, funding for training and facilitating compliance with and enforcement of regulation of residential child care establishments is funded from the Child Care Fund. As proposed, the funding source for the aforementioned activities would be shifted to the Department of Child Services Child Care Fund (see *Department of Child Services Child Care Fund*).

In addition, the Child Care Fund would be renamed as the Division of Family Resources Child Care Fund (see *Division of Family Resources Child Care Fund*).

Department of Child Services Child Care Fund: The bill establishes the Department of Child Services Child Care Fund (DCS Fund) for the purpose of providing training and facilitating compliance with and enforcement of: child services administration, child services programs, regulation of residential child care establishments, and foster care and placement of children. The DCS Fund consists of fees and civil penalties collected by the DCS. It is to be administered by the DCS. Administration expenses shall be paid from money in the DCS Fund. Money in the DCS Fund does not revert to the state General Fund at the end of the fiscal year.

Division of Family Resources Child Care Fund: As proposed, the Division of Family Resources Child Care Fund (DFR Fund) would no longer fund regulation of residential child care establishment. The DFR Fund would be used solely to provide training and facilitate compliance with and enforcement of day care regulation.

Explanation of State Revenues: See *Explanation of State Expenditures*.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Child Services.

Local Agencies Affected:

Information Sources: Allen County Juvenile Probation; Marion County Juvenile Probation; Hamilton County Juvenile Probation; James Payne, Department of Child Services; John Ryan, Department of Child Services; John Wood, Department of Child Services.

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